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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,859	01/04/2001	Chad Daniel Fisher	2000-12	4297

7590 03/16/2004

KoSa
4501 Charlotte Park Drive
Charlotte, NC 28217-1979

EXAMINER

SELLERS, ROBERT E

ART UNIT	PAPER NUMBER
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1712

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/754,859	Applicant(s) FISHER, CHAD DANIEL	
	Examiner Robert Sellers	Art Unit 1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 24-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed.

The rejection is maintained for the reasons of record set forth in the previous Office actions. The arguments filed February 12, 2004 have been considered but are unpersuasive.

2. According to Hack's Chemical Dictionary, the term "alkali" denotes "a hydroxide of lithium, sodium, potassium, rubidium or cesium; but also the carbonates of these metals and ammonia, and the amines." Since "alkali" is not mentioned, let alone defined in the specification, one skilled in the art cannot ascertain which of the compounds other than the disclosed sodium hydroxide (page 12, line 2) activates the epoxy as required in claim 24, or buffers the composition as necessitated by claim 31.

3. Furthermore, the claimed alkali is new matter since the specification on page 12, line 2 utilizes only a particular species of sodium hydroxide for preparing the resorcinol-formaldehyde. There is no description of the function of the alkali to activate the epoxy (claim 24) or to buffer the composition (claim 31). There is no disclosure of any compound other than sodium hydroxide which is employed for a different purpose than those of claims 24 and 31.

Claims 24-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori et al.

The rejection is maintained for the reasons of record set forth in the previous Office actions. The arguments filed February 12, 2004 have been considered but are unpersuasive.

4. Mori et al. (col. 8, line 65 to col. 9, line 13) shows the application of the adhesive in a single step without a pretreatment involving an isocyanate and epoxy resin solution. The disclosure in column 6, lines 35-38 refers to a pretreatment for a particular type of canvass and is not a required step.

5. Claims 24-26 and 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aufdermarsh, Jr. Patent No. 3,933,677, Takata Patent No. 4,401,713, Imai et al. Patent No. 5,151,142 and Japanese Patent Nos. 11-286875, 9-12997, 10-46475, 2000-8280, 62-276091 and 10-212674 in view of Mori et al. Japanese Patent Nos. 4-316670 and 8-13346.

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aufdermarsh, Jr., Takata, Imai et al. and Japanese '875, '280 and '674 in view of Mori et al. and Japanese Patent Nos. 4-316670 and 8-13346.

7. Mori et al. was inadvertently omitted from the rejection of claim 27 in the previous Office action. Japanese Patent No. 10-25666 is withdrawn due to the exclusion of the triazine compound (C) and ethylene-imine compound (E) by the claimed "consisting of" language.

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Otherwise, the rejection is maintained for the reasons of record set forth in the previous Office actions. The arguments filed February 12, 2004 have been considered but are unpersuasive.

8. The motivation to prepare the compositions of Aufdermarsh, Jr., Takata and Japanese '875, '280 and '674 with the sodium hydroxide of Mori et al., Imai et al. and Japanese '997 in order to facilitate the formation of the resorcinol-formaldehyde latex is based on the single dip adhesive exemplified by Mori et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

(571) 272-1093 (Fax no. (703) 872-9306)
Monday to Friday from 9:30 to 6:00 EST



Robert Sellers
Primary Examiner
Art Unit 1712

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3/4/04